

Cote, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKMORGAN STANLEY & CO.
INCORPORATED,

Plaintiff,

-against-

CONRAD P. SEGHERS,

Defendant.

Civ. No. 10 Civ. 5378 (DLC)(JCF)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/10/10

ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER

Upon the Declaration of David Zalman, dated August 6, 2010, and the exhibits annexed thereto, together with Plaintiff's previously filed Motion for Preliminary Injunction (Docket Nos. 5-8) and good cause therefore being shown, Plaintiff, having moved this Court for an Order requiring Defendant Conrad P. Seghers to show cause before this Court why an Order should not be issued granting a temporary restraining order enjoining Defendant from pursuing an arbitration filed before the Financial Industry Regulatory Authority in Dallas, Texas (the "Texas Arbitration"), see the reasons stated on the record on August 10, 2010, and it appearing that good cause and reasons exist for issuing this Order, it is hereby:

ORDERED, that Defendant or his attorneys show cause before the Honorable Denise L. Cote, pursuant to the schedule to which the parties agreed in ~~Courtroom 11B, United States Courthouse, 500 Pearl Street, in the City~~ on August 10, 2010, County and State of New York, on August __, 2010, at __ o'clock in the __ noon thereof, or as soon thereafter as counsel may be heard, preliminary injunction why a temporary restraining order should not be entered pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining Seghers from pursuing the Texas Arbitration on the grounds that (i) Defendant waived any alleged right to

United States District Judge